

**Ravalli County Planning Board
Meeting Minutes for June 28, 2006
7:00 p.m.
Commissioners Meeting Room, 215 S. 4th Street, Hamilton, Montana**

Public Hearing

Gunshy Ridge III (Bitterroot Valley Development, LLC) Major Subdivision and One Variance
Request - CANCELLED

Plat Evaluation

Centennial Lot 17, AP (K&J Development) Major Subdivision and One Variance Request
East End Lot 1, AP (Kwapy) Major Subdivision

*This is a summary of the meeting, not a verbatim transcript. A CD of the meeting
may be purchased from the Planning Department for \$5.00.*

1. Call to order

Dan called the meeting to order at 7:15 p.m.

2. Roll Call (See Attachment A, Roll Call Sheet) – Roll call was not completed as there was no quorum for this meeting.

(A) Members

Dale Brown (present)
Bob Cron (absent – excused)
Ben Hillicoss (absent – excused)
Dan Huls (present)
JR Iman (absent – unexcused)
Roger Linhart (absent – excused)
Chip Pigman (present)
Les Rutledge (present)
Lori Schallenberger (absent - excused)
Gary Zebrowski (present)

(B) Staff

Benjamin Howell
Karen Hughes
John Lavey
Tristan Riddell
Renee Van Hoven
Jennifer De Groot

3. Approval of Minutes

The minutes from the June 21, 2006 meeting were not approved due to a lack of quorum.

4. Amendments to the Agenda

N/A

5. **Correspondence**

N/A

6. **Disclosure of Possible/Perceived Conflicts**

N/A

7. **Public Hearing**

(A) **Gunshy Ridge III (Bitterroot Valley Development, LLC) Major Subdivision and One Variance Request – CANCELLED DUE TO LACK OF QUORUM**

8. **Close Public Hearing**

9. **Plat Evaluation**

(A) **Centennial Lot 17, AP (K&J Development) Major Subdivision and One Variance Request**

(i) Presentation by Leonard Shepherd, Shepherd Surveying

Leonard Shepherd said that the proposed subdivision would tap into the existing community water system created on the first part of Centennial and that hookups to the Corvallis Sewer System have been approved. He said that there was a concern about high groundwater, but with community wells it was not an issue and the area tested dry last year. He said there is one main road with a spur road for the upper lots. He noted that he was waiting for comments from Dave Ohnstad to see if Willow Creek Road will need to be improved or if pro-rata will be assessed. He said that John Horat dealt with the issue previously and said that improving Willow Creek and Bridge would be asking a private entity to take on major reconstruction and John preferred not to do that. Leonard noted that instead, John requested a \$15,000 contribution in lieu of building a bridge over Supply Canal. He said they are proposing \$250 per lot to the Corvallis School District and \$500 per lot to the Corvallis Fire District. He said there are setbacks incorporated into the subdivision and road for the high pressure gas line that runs under the subdivision.

(ii) Public Comment

There was none.

(iii) Board Discussion and Questions

Dan asked if the Surprise Ditch went across Lots 17-1 and 17-2 and the park.

Leonard said that people have already been using the designated park area and that he frequently sees kids swimming in the canal. He noted that it would be more of an impact if it is fenced.

Tristan said that unless the applicants ask for a variance, they would be required to fence off access to Surprise Ditch.

Leonard said that he might ask for a variance since he sees kids playing in it every summer.

Les asked if each lot would have to have 24 inches between the surface and gas line. He noted that the gas company had raised an objection about the subdivider crossing the right-of-way.

Leonard said that each lot would have to meet that requirement if that was what the energy company requested.

Chip said that if the areas did not have the required dirt, the builders would have to add the amount to make a total of 24 inches between the ground surface and the buried gas line. He asked if another developer had contributed to replacement of Willow Creek Bridge.

Leonard said that several subdivisions had, but road standards wax and wane. He noted that the bridge has become an issue in the last three to four years and that John Horat listed some of the developments in his variance request.

Tristan said that Curtis Lots 2, Centennial, and Whispering Willows will be contributing an estimated \$20,000 within the Corvallis Grader District.

Chip asked why the Corvallis Sewer District was requiring payment of \$58,000 for services at final plat.

Leonard said it would have been negotiated with John Horat.

Terry Nelson said that has been the system for a few years now.

(B) East End Lot 1, AP (Kwapy) Major Subdivision

(i) Presentation by Terry Nelson, Applebury Survey

Terry Nelson said that the proposed subdivision is for six lots between Stevensville River Road and US Highway 93. He said the applicant had planned an interior road off of Stevensville River Road, but could not access the road because of a non-ingress/egress zone. He said that in order for the no ingress/egress zone to be amended, all the homeowners in the subdivision would have to sign off on it, and this was not possible. The proposal is to build off Highway 93 and build a county-standard road to access the lots. He said he has been in contact with Montana Department of Transportation and the highway plans call for part of the road to be used as a frontage road when they expand the highway. He said that the soils on the parcel are not prime agricultural soils and that there is an existing residence on the property for Robert Kwapy. He said that there are water rights out of Kootenai Creek, but they will all stay with Lot 4. He noted that there are no downstream users and the Bitterroot River is in close proximity. He said the subdivision is close to the Town of Stevensville, which has commercial areas and police fire service. He said they are proposing a \$250 per lot donation to Stevensville School District and \$500 per lot to Stevensville Rural Fire District. He said the property was identified as having Bald Eagles and Shining Flatsedge, but there is no Bald Eagle habitat on the property. He noted that Shining Flatsedge is a wetlands plant and there are no

wetlands on the property, although the Lee Metcalf Wildlife Refuge is across the River. He said there are no safety hazards.

(ii) Public Comment

There was none.

(iii) Board Discussion and Questions

Gary asked what types of water and sewer systems they would use.

Terry said they will have individual wells and septic systems. He noted that he has preliminary approval from the Environmental Health Department, but is waiting for State Board of Health & Sewer approval. He said that the Stevensville Sewer is across the Bitterroot River.

Les asked the reason for an elevated sand mound drain field for Lot 3.

Robert Kwapy said that the soil did not lend itself for a standard septic, although the drain field location is no longer being used. He said that the drain field currently serving his residence will be disconnected and moved to Lot 3. He said that his residence will use another approved drain field.

Dan asked if the lots are currently irrigated and if the piece to the southwest was agricultural land.

Robert Kwapy said that that land used to be used for pasture and was irrigated minimally, but the owner has now left the country and cannot lease it out.

Les asked why the Road Maintenance Agreement was not in the application.

Terry said that it was completed and given to the Planning Department, but it may not have been in the application packet. He said he will make sure Staff receives it.

10. **Communications from Staff**

The Board discussed rescheduling the Public Hearing for Gunshy Ridge III because there was not a quorum that evening. They decided to reschedule the Public Hearing for July 19, 2006, at 3:00 PM. They were told that they could approve the Public Hearing minutes for Gunshy Ridge III by email so Gunshy Ridge III could still be ready for the County Commissioner meeting on July 25.

Gordon Sorenson asked if he could go first that afternoon because this public hearing was cancelled and the Board agreed that he could.

Renee said that Staff is still working on the Aspen Springs Staff Report, but hopes to have it completed by Friday. She reminded the Board that the Aspen Springs meeting will be held Wednesday, July 5, at the Hamilton Middle School Auditorium.

Chip asked if Staff had received comments from the community about Aspen Springs.

Renee noted that Staff has received comments from agencies, but not many from the public.

Chip asked if the department heads and agencies would be there.

Ben said that he sent personal invitations to the County's Sheriff, Florence-Carlton School District Superintendent, and the Road Supervisor, but he has not heard from any of them. He noted that he would follow-up by phone to see who would attend.

Les said that Sheriff Chris Hoffman told him that he would be attending the meeting.

11. **Communications from Public**

Paul Wilson asked how the Planning Board was doing on filling its vacancies.

Ben said that the County Commissioners have an appointment on their calendar for July 5 to appoint new members.

12. **Communications from Board**

Gary asked Renee how the mapping data for the Land Use Committee was coming.

Renee said she did not know, but she would get Karen.

Karen said that she has not been able to gather data for the Committee due to the time commitment to Aspen Springs. She said that she has not gotten the project into Renee's hands, but it should not take long to produce the maps once Staff is able to work on it.

Chip noted that he had heard rumors about the zoning process. He asked if technically, the Planning Board could produce a map and vote on it and create zoning. He asked if the County satisfied the public process of zoning with the interim zoning resolution.

Karen said that the resolution only deals with the one issue of large retail stores. She noted that once something is produced, it has to go through the Planning Board and the County Commissioners for public hearings. She said all zoning has to go through that same minimum process of two public hearings.

Chip asked if they only needed one public hearing at the County Commissioner level to have zoning.

Karen said that the only time County-initiated zoning could be put into place without the Planning Board and County Commissioner hearings is if there is a county-wide urgency and then, they can only put interim zoning into place. She noted that for proper and permanent zoning, it would have to go through the Planning Board and the County Commissioners.

Chip said that he did not feel the last zoning attempt was handled properly and said that he does not want maps fed down citizen's throats. He said a small, vocal group got the interim zoning fast-tracked.

Karen said that Staff's intent is to maximize the public process for zoning.

Gary added that he thought there should be more than the two minimum public hearings.

Karen said she expects to hold plenty of workshops and public hearings.

Chip said that many builders and realtors are skeptical that the County will use the correct process to implement zoning.

Karen said that the Board should figure out a way to make that point clear and on the record. She recommended inviting a reporter to come to a meeting and talking about expectations on the public process in the future. She said the Board could come up with an idea about what should happen with the zoning and make a recommendation to the County Commissioners.

Paul Wilson said that if the public is not part of the zoning process, attempts will fail. He said that even though people might not attend public hearings, they should be well-publicized. He said that he believes zoning is inevitable and necessary, but there should not be County-wide interim zoning because the public will be up in arms.

13. New Business

There was none.

14. Old Business

There was none.

15. Next Regularly Scheduled Meeting: July 5, 2006 at 7:00 p.m.

(A) Aspen Springs (Wesmont) Major Subdivision and Eight Variance Requests – Public Hearing at Hamilton Middle School Auditorium

Paul Wilson asked if there would be a time limit on speakers and on the meeting itself.

Dan said that the Board has not decided the length of the meeting, but noted that it will be imperative to limit public speaking time if many people attend the meeting. He noted that he did not want to hear things repeated.

Les asked if the newspaper will announce the meeting on the front page.

Karen recommended that the Board connect with the newspaper.

Chip said it is unfair if the newspaper publicizes one subdivision and not others.

Karen said that she will make sure Staff sends the Planning Government Calendar to the newspaper. She noted that the newspaper has a list of subdivisions and planners assigned to each one. She said she could tell the newspaper every meeting involving land division is important.

Chip said that there are rumors that the Aspen Springs meeting will be continued.

Dan said that additional Aspen Springs meetings have not been decided yet, but the Board will make that decision as a group.

16. Adjournment

Dan adjourned the meeting at 8:06 p.m.